

**DECLARATION (37 CFR 1.63) FOR UTILITY OR DESIGN APPLICATION  
USING AN APPLICATION DATA SHEET (37 CFR 1.76)**

As the below named inventor(s), I/we declare that:

This declaration is directed to:

- ☐ The attached application, or
- ☒ Application No. 09/872,771, filed on June 1, 2001,
- ☐ as amended on \_\_\_\_\_ (if applicable);

I/we believe that I/we am/are the original and first inventor(s) of the subject matter which is claimed and for which a patent is sought;

I/ we have reviewed and understand the contents of the above-identified application, including the claims, as amended by any amendment specifically referred to above;

I/we acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me/us to be material to patentability as defined in 37 CFR 1.56, including material information which became available between the filing date of the prior application and the National or PCT International filing date of the continuation-in-part application, if applicable; and

All statements made herein of my/own knowledge are true, all statements made herein on information and belief are believed to be true, and further that these statements were made with the knowledge that willful false statements and the like are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001, and may jeopardize the validity of the application or any patent issuing thereon.

**FULL NAME OF INVENTOR(S)**

Inventor one Andreas Weirich Date: 3 Oct 2001

Signature: A. Weirich Citizen of: Canada

Inventor two Allan Isfan Date: Oct. 3, 2001

Signature: [Signature] Citizen of: Canada

Inventor three \_\_\_\_\_ Date: \_\_\_\_\_

Signature: \_\_\_\_\_ Citizen of: \_\_\_\_\_

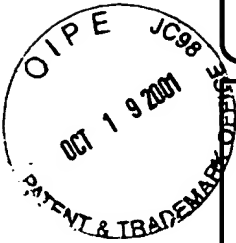
Inventor four \_\_\_\_\_ Date: \_\_\_\_\_

Signature: \_\_\_\_\_ Citizen of: \_\_\_\_\_

☐ Additional inventors are being named on \_\_\_\_\_ additional form(s) attached hereto.

Burden Hour Statement: This collection of information is required by 35 U.S.C. 115 and 37 CFR 1.63. The information is used by the public to file (and the PTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This form is estimated to take 1 minute to complete. This time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

PA 3172347 v1



**STATEMENT UNDER 37 CFR 3.73(b)**

Applicant/Patent Owner: Catena Networks, Inc.

Application No./Patent No.: 09/872,771

Filed/Issue Date: June 1, 2001

Entitled: System and Method for Overlaying DSL Access Multiplexer onto Existing Access Systems

Catena Networks, Inc., a Delaware corporation

(Name of Assignee)

(Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1. ☒ the assignee of the entire right, title, and interest; or
2. ☐ an assignee of an undivided part interest

in the patent application/patent identified above by virtue of either:

- A. ☐ An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

OR

- B. ☒ A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

1. From: Andreas Weirich et al. To: Catena Networks Canada Inc.  
The document was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

2. From: Catena Networks Canada Inc. To: Catena Networks, Inc.  
The document was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

3. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

☐ Additional documents in the chain of title are listed on a supplemental sheet.

- ☒ Copies of assignments or other documents in the chain of title are attached.

[NOTE: A separate copy (i.e., the original assignment document or a true copy of the original document) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the USPTO. See MPEP 302.8]

The undersigned (whose title is supplied below) is empowered to sign this statement on behalf of the assignee.

3 Oct 2001

Date

A. Weirich

Signature

Andreas Weirich

Typed or printed name

Vice President of Systems Architecture

Title

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.



## PATENT ASSIGNMENT

Catena Networks Canada, Inc. (a Canadian corporation), ("Assignor") a wholly owned subsidiary of Catena Networks, Inc. (a Delaware corporation) is the record owner of:

U.S. Patent Application No.: 09/818,252  
Filed: March 26, 2001  
For: System And Method For Synchronizing Sample Rates of Voiceband Channels And A DSL Interface Channel  
Priority: Canadian Patent Application No. 2,303,608  
Filed: March 31, 2000

WHEREAS, Catena Networks, Inc., (a Delaware corporation), ("Assignee"), located at 303 Twin Dolphin Drive, Suite 600, Redwood Shores, California 94065 wishes to purchase all Assignor's right, title and interest to and under the patent application effective at least as early as March 26, 2001.

Therefore, for good and valuable consideration, receipt of which is hereby acknowledged by Assignor, Assignor has assigned, and by these presents does assign to Assignee all right, title and interest in and to the invention and application and to all foreign counterparts (including patent, utility model and industrial designs), and in and to any Letters Patent and Registrations which may hereafter be granted on any patent application claiming priority from the same in the United States and all countries throughout the world, and to claim the priority from the application as provided by the Paris Convention. The right, title and interest is to be held and enjoyed by Assignee and Assignee's successors and assigns as fully and exclusively as it would have been held and enjoyed by Assignor had this Assignment not been made, for the full term of any Letters Patent and Registrations which may be granted thereon, or of any division, renewal, continuation in whole or in part, substitution, conversion, reissue, prolongation or extension thereof.

Date: 28 May 2001

A. Weirich

Andreas Weirich  
Vice President Systems Architecture

PROVINCE OF Ontario )  
 )  
COUNTY OF )

ss.

On May 28/01, before me, ANDREAS WEIRICH,  
Notary Public, personally appeared Andreas Weirich, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.

[Signature]  
NOTARY PUBLIC

My Commission Expires: \_\_\_\_\_  
PA 3141128 v1

## ASSIGNMENT

WHEREAS, we,

**WEIRICH, Andreas; and  
ISFAN, Allan**

hereinafter referred to as Assignor, whose full post office addresses are,  
**15 Basford Crescent, Stittsville, Ontario, K2S 1G7, Canada; and  
113 Rothesay Drive, Kanata, Ontario, K2L 1N8, Canada**

have made an invention relating to and entitled:

**A System and Method for Overlaying a DSL Access Multiplexer onto Existing  
Access Systems by Reusing Test Buses**

as fully set forth and described in an application for Letters Patent of Canada filed on January 26, 2001;

AND WHEREAS,

**Catena Networks Canada Inc.**

hereinafter referred to as Assignee, whose full post office address is

**307 Legget Drive, Kanata, Ontario, K2K 3C8, Canada**

desires to acquire our entire right, title and interest in and to said invention;

NOW THEREFORE, in consideration of the sum of One Dollar (\$1.00) and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, we do hereby sell, assign, transfer and set over to Assignee, its successors, assigns, or legal representatives, our entire right, title and interest for Canada, the United States and all other countries throughout the World in and to said invention, together with our entire right, title and interest in and to said application and any foreign applications corresponding thereto and any and all Letters Patent which may issue for said invention, including any and all divisions, reissues, continuations and extensions to said Letters Patent, to the full end of the term for which each said Letters Patent may be granted, and including the right to claim priority, based on said application, under the terms of any international Convention, the same to be held and enjoyed as fully and completely as the same would have been held and enjoyed by ourselves had this Assignment not been made;


AND we, on behalf of ourselves and our executors and administrators, hereby covenant and agree to do all such lawful acts and things and to execute without further consideration such further lawful assignments, documents, assurances, applications and other instruments as may reasonably be required by said Assignee, its successors, assigns, or legal representatives, to obtain any and all Letters Patent for said invention and vest the same in said Assignee, its successors, assigns, or legal representatives.

DATED this 26<sup>th</sup> of April 2001.

Witnessed By:

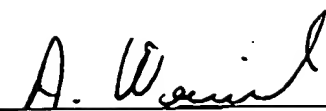
Signature:

Name:

  
Paula Roy

By:

Name:

  
WEIRICH, Andreas

Witnessed By:

Signature:

Name:

  
Paula Roy

By:

Name:

  
ISFAN, Allan